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RUEHBJ/AMEMBASSY BEIJING 5973  
RUEHMO/AMEMBASSY MOSCOW 2082  
RUEHBK/AMEMBASSY BANGKOK 1698  
RUEHML/AMEMBASSY MANILA 1619  
RUCPDOC/DEPT OF COMMERCE WASHINGTON DC  
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UNCLAS SECTION 01 OF 02 ULAANBAATAR 000064

SIPDIS

SENSITIVE

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STATE FOR EAP/CM

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TAGS: PHUM KWMN PGOV SOCI MG

SUBJECT: MONGOLIAN WOMEN SEETHING OVER QUOTA ELIMINATION

Reftels: (A) ULAANBAATAR 0003

SENSITIVE BUT UNCLASSIFIED - NOT FOR INTERNET DISTRIBTION.

¶1. (SBU) SUMMARY: Women's activists have filed a complaint with Mongolia's Constitutional Court following Parliament's scrapping of a requirement that at least 30 percent of any party's candidates for national elections be women. The complaint, filed on January 31, argues that in eliminating the quota, Parliament violated the Law on Parliamentary Procedures. The court now has two weeks to decide whether to take up the complaint. Women's activists across the political spectrum are livid over what they see as an attempt by male Parliamentarians to restrict competition for political office, ahead of June's Parliamentary elections. After Parliament passed a law eliminating the quota, the law was vetoed by the President on January 8. It took two votes - on January 10 and 11 - for Parliament to override the veto. Prime Minister Bayar has suggested he feels that the problem with the quota was that the 30 percent it targeted for female candidates was unrealistic. President Enkhbayar has been asked by women's groups "to challenge the decision of the Parliament" at the Constitutional Court, but the President has no special authority to do so. We see little likelihood that the anger felt by Mongolian women will translate into concrete political action. END SUMMARY.

¶2. (SBU) Mongolian women's activists have filed a complaint with the Constitutional Court following Parliament's scrapping of a requirement that at least 30 percent of any party's candidates for national elections be women. On January 31, activist J. Zanaa filed the complaint on behalf of MonFemNet, the National Network of Mongolian Women's NGOs, arguing that Parliament violated the Law on Parliamentary Procedures in eliminating the requirement. The court now has two weeks to inform Zanaa about whether it will discuss the complaint. Women across the political spectrum are livid over what they view as an attempt by male Parliamentarians to restrict competition for political office, ahead of June's Parliamentary elections.

HOPES RAISED, THEN DASHED

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¶3. (SBU) After years of patient advocacy by women's activists, Parliament adopted the quota in 2005, energizing the women's rights movement and leading to hope that it would lead to greater female participation in the political process. (Women currently hold five of the 76 seats in Parliament; three of the 16 Cabinet positions;

and seven of the 17 seats on the Supreme Court.) However, on December 26, 2007, Parliament passed an amendment eliminating the requirement. On January 8, President N. Enkhbayar vetoed the law, calling it a setback for Mongolian democracy. On January 9, the veto was reviewed by two Parliamentary Standing Committees, on State Structure and Legal Affairs, and majorities on both committees voted in favor of an override. At a plenary session on January 10, 62.3 percent of the MPs present voted to override the veto, short of the required 66.6 percent. Female legislators and observers broke out in applause, but their delight would be short-lived. The head of the Parliamentary caucus of the ruling Mongolian People's Revolutionary Party (MPRP), Ts. Nyamdorj, noted that two of the MPs who had "voted" in support of the veto were not present; fellow legislators had apparently voted on their behalf, using the small card-like devices with which MPs electronically cast votes. On January 11, the Standing Committee on State Structure voted to invalidate the previous day's vote. Shortly thereafter, a second plenary vote was held on whether to uphold the President's veto. This time, 88.9 percent voted to override the veto; only six MPs (including four of the five female MPs) supported the veto, whereas 20 had backed it a day earlier. (Leaders of the two biggest parties - the MPRP and the opposition Democratic Party, or DP -- reportedly spent the evening of January 10 pressuring those who had supported the veto to change their mind. The MPRP and DP party leaders are rumored to have warned members of those parties that anyone supporting the President's veto would not be considered for candidacy in June's elections.)

ACTIVISTS VOW TO PRESS ON

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¶4. (SBU) Women's activists have been stung by the developments but vow to press on. On January 14, a 13-group alliance of women's

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organizations, including MomFemNet, the "Hearth" National Movement and the women's associations of the Motherland, Civil Will and Republican parties, jointly called on President Enkhbayar "to challenge the decision of the Parliament" at the Constitutional Court. (Note: The President has not made any public response to this appeal. The Constitution does not give him authority to question, challenge or overturn decisions by the Constitutional Court. End Note.) Meanwhile, Bolormaa, head of the NGO Women Leaders Foundation, told us that although the quota has been scrapped, there has emerged a new generation of women eager to seek political office, with knowledge about how to run a campaign and how to raise funds. (Note: Key support in this regard has come from USG-funded IRI, which has provided training through the Women's Partnership in Politics and Governance. End Note.)

PM BAYAR: 30 PERCENT UNREALISTIC

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¶5. (SBU) While women activists have lavished praise on the President for vetoing the quota-killing law, many have criticized the actions of Prime Minister S. Bayar, who serves concurrently as MPRP chief. In an interview published on January 17, Bayar indicated that he felt that the problem with the quota was that the 30 percent it targeted for female candidates was unrealistic. "Are there enough women in any political party in Mongolia to be listed as candidates?" he asked. "I think 10 to 15 percent is more realistic." Bayar pointed out that in recent elections, many women voters have failed to support women candidates. "Maybe the female voter is thinking, 'She thinks she's better than me?' and votes instead for a male candidate."

COMMENT

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¶6. (SBU) Efforts by the MPRP and DP to scrap the women's candidate quota could prompt some politically active women to run as independents, but independents face additional obstacles to being elected. They cannot, for instance, run on a platform, because according to Mongolian law, only parties can have a platform. Independents also face formidable fundraising and organizational challenges. Although many women active in Mongolian politics are

outraged by the quota's demise, we see little chance that this anger will translate into concrete political action. Female political activists may have joined forces to support the quota, but if previous national elections are any indication, their ultimate loyalties lie with their political parties, rather than others of their gender.

MINTON